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PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION

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EDWARD B. EVANS 1936-1971

July 28, 2005

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To: Examiner Benjamin R. Bruckart
Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22213-1450

From: Scott A. Stinebruner
Reg. No. 38,323
Re: U.S. Patent Application
Serial No. 09/694,586
Filed: October 23, 2000
Applicant: Timothy Roy Block et al.
Art Unit: 2155
Confirmation No.: 8940
Our Ref: IBM/167

Fax: 571-273-2885

Enclosures:

Fax Cover Sheet containing Certificate of
Facsimile Transmission (1 page)
Comments on Statement of Reasons for
Allowance containing Certificate of Facsimile
Transmission (2 pages)

Pages: 3 (including cover sheet)

**MESSAGE/COMMENTS
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Judith L. Volk
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Judith L. Volk
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Timothy Roy Block et al. Art Unit: 2155
Serial No.: 09/694,586 Examiner: Benjamin R. Bruckart
Filed: October 23, 2000 Atty. Docket No.: IBM/167
For: DYNAMIC MODIFICATION OF CLUSTER COMMUNICATION
PARAMETERS IN CLUSTERED COMPUTER SYSTEM

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is submitted in reply to the Notice of Allowance dated July 22, 2005.

Moreover, this paper is submitted to provide a substance of the telephone interview between the undersigned and the Examiner on July 12, 2005.

In particular, the Examiner called Applicants' representative in response to the appeal brief and to change the rejection of claim 3 to an objection. Furthermore, the Examiner asked Applicants to consider amending independent claims with material from claim 3 to place the case in condition for allowance. Applicants proposed amendments consistent with the Examiner's suggestions, and further requested that the Examiner enter an amendment to the specification to insert a serial number for the related application.

As to the Examiner's Statement of Allowance, Applicants wish to note that independent claims 19, 26 and 31 recite different subject matter from that referred to by the Examiner in the Statement (which generally tracks claim 1), and as such, the Examiner's Statement is not applicable to these claims.


Page 1 of 2
Serial No. 09/694,586
Comments on Statement of Reasons for Allowance
IBM Docket ROC920000192US1
WHA/E IBM/88US
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If the Office has any questions regarding the foregoing, please contact the undersigned at (513) 241-2324. Moreover, if any other charges or credits are necessary to complete this communication, please apply them to Deposit Account 23-3000.

Respectfully submitted,

28 JULY 2005

Date


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